

UNITED STATES DISTRICT COURT

for the
Eastern District of Virginia

MAR 17 2017

U.S. DISTRICT COURT
ALEXANDRIA, VIRGINIAIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

Case No. 1:17-SW-120

INFORMATION ASSOCIATED WITH THE ACCOUNT
FOR PHONE NUMBER (949) 910-8599 THAT IS
STORED AT PREMISES CONTROLLED BY YOUMAIL

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A

located in the Eastern District of Virginia, there is now concealed (identify the person or describe the property to be seized):

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. § 1349	Conspiracy to commit mail and wire fraud
18 U.S.C. § 1341	Mail fraud
18 U.S.C. § 1343	Wire fraud

The application is based on these facts:

See attached Affidavit

- ☐ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


Reviewed by AUSA/SAUSA
AUSA Samantha Bateman

 Applicant's signature
Nenette Day, Special Agent, SIGTARP
Printed name and title

Sworn to before me and signed in my presence.

Date: 03/17/2017

/s/


 Theresa Carroll Buchanan
 United States Magistrate Judge
 Judge's signature
City and state: Alexandria, VirginiaHonorable Theresa C. Buchanan
Printed name and title

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

IN RE SEARCH OF:

INFORMATION ASSOCIATED WITH THE
ACCOUNT FOR PHONE NUMBER
(949) 910-8599 THAT IS STORED AT
PREMISES CONTROLLED BY YOUMAIL

No. 1:17-SW-120

AFFIDAVIT IN SUPPORT OF
APPLICATION FOR A SEARCH WARRANT

I, Nenette Day, being duly sworn, state:

INTRODUCTION

1. I am a special agent for the Investigations Division of the United States Department of the Treasury's Office of the Special Inspector General for the Troubled Asset Relief Program ("SIGTARP"). I have held this position since September of 2010. Prior to joining SIGTARP, I was a Federal Bureau of Investigation ("FBI") special agent from 1998 to 2008, assigned to the Cyber Crimes Squad of the FBI's Boston office. Throughout my career, I have participated in investigations involving financial crimes and fraud. I have also conducted or participated in numerous investigations involving the execution of federal search and arrest warrants, including electronic mail ("email") search warrants. I have received training in the investigation and enforcement of federal criminal laws, and I am authorized to enforce and investigate violations of the laws of the United States and to execute and serve any order, warrant, subpoena, summons, or other process issued under the authority of the United States.

2. I am submitting this affidavit in support of an application for a search warrant for an account controlled by the web-based visual voicemail service provider YouMail, which is headquartered at 43 Corporate Park, Suite 200, Irvine, CA 92606. The account to be searched is the YouMail account opened with phone number (949) 910-8599 (the “**Target Account**”), which is further described throughout this affidavit and in Attachment A. As set forth herein, there is probable cause to believe that the computer systems of YouMail contain evidence, fruits, and instrumentalities with respect to the **Target Account** of violations of 18 U.S.C. §§ 1349 (conspiracy), 1341 (mail fraud), and 1343 (wire fraud). More specifically, as set forth in greater detail below, the documents and other information that I and other law enforcement agents have reviewed, together with the interviews that we have conducted, support the conclusion that there is probable cause that Sammy Araya (“Araya”), Jen Seko (“Seko”), Michael Henderson (“Henderson”), and others have engaged in a scheme to defraud homeowners in the Eastern District of Virginia and elsewhere by falsely leading the homeowners to believe that they were receiving federally-funded home loan modifications, thereby inducing the homeowners to make payments to the conspirators. In addition, there is probable cause to believe that Araya has used the **Target Account** as part of that scheme to receive, store, and retrieve voicemails left by other co-conspirators and by victims of the fraud scheme.

3. The information contained in this affidavit is based on my personal observations, interviews of witnesses, review of emails and other documents, information communicated to me by other law enforcement personnel with knowledge of this investigation, information communicated to law enforcement by other U.S. government personnel, review of law enforcement databases, and knowledge gained through training and experience.

4. I am submitting this affidavit for the limited purpose of showing probable cause for the requested search warrant. I have not included every fact I have learned during this investigation. Instead, I have set forth only those facts that I understand are necessary to a proper determination of probable cause.

STATEMENT OF PROBABLE CAUSE

Introduction

5. As briefly described above, I am investigating a scheme in which the targets of the investigation defrauded homeowners in the Eastern District of Virginia and elsewhere by impersonating a federally-funded home loan modification program. The members of the “mortgage modification” conspiracy deceived homeowners into making payments of thousands of dollars, including purported “reinstatement fees” and “trial mortgage payments,” directly to the conspiracy rather than to the homeowners’ mortgage lenders, based on false promises that the payments would be used to obtain a mortgage modification on behalf of the homeowners. The co-conspirators then used those payments for their own personal benefit, without providing the promised mortgage modification assistance to the victims.

6. Several defendants have already been charged in the Eastern District of Virginia and convicted of conspiracy to commit wire fraud and/or mail fraud in connection with this mortgage modification scheme. Those individuals include Roscoe Umali (“Umali”), Isaac Perez (“Perez”), Jefferson Maniscan (“Maniscan”), Joshua Johnson (“Johnson”), Raymund Dacanay (“Dacanay”), Joshua Sanchez (“Sanchez”), Kristen Ayala (“Ayala”), Nicholas Estilow (“Estilow”), and Sabrina Rafo (“Rafo”). *See United States v. Sanchez et al.*, No. 1:15cr147 (E.D. Va. 2015); *United States v. Umali et al.*, No. 1:15cr301 (E.D. Va. 2015).

7. Araya, Seko, and Henderson were also charged in a superseding indictment in No. 1:15cr301 with one count of conspiracy to commit mail and/or wire fraud, five substantive counts of mail fraud, and five substantive counts of wire fraud, all arising out of the same mortgage modification scheme described above. Araya, Seko, and Henderson are scheduled for a jury trial on April 10, 2017, before the Honorable James C. Cacheris.

8. This Court has previously issued several other warrants in connection with the government's investigation and prosecution of this scheme. Those include Nos. 1:14sw364 (search of electronic devices following physical location search), 1:15mj158 (arrest of Sanchez and Ayala), 1:16sw296 (electronics search of materials obtained from Seko), and 1:16sw297 (email search warrant).

9. Based on my investigation, and as described in greater detail below, one of the key methods that Araya, Seko, Henderson, and other members of the conspiracy used to communicate, both with each other and with victims, was telephone calls. The members of the conspiracy used a variety of telephonic and electronic services to manage the large volume of calls that they both placed and received. And as explained in greater detail below, the evidence gathered to date shows that Araya (and possibly others) used the **Target Account**, which was opened through the web-based visual voicemail service provider YouMail, with the default phone number (949) 910-8599, to receive, store, and retrieve voicemails from other members of the conspiracy in furtherance of the mortgage modification scheme, as well as from victims of the scam. Accordingly, there is probable cause to believe that information associated with the **Target Account**, including voicemails submitted to the target account and stored at premises controlled by YouMail, contains evidence, fruits, and instrumentalities of the federal crimes under investigation.

The "Mortgage Modification" Scheme

10. I have taken a number of steps in my ongoing investigation into this scheme. For example, I have reviewed homeowner complaints filed against the targets of this scheme and their co-conspirators, and I and other law enforcement agents have interviewed homeowner complainants both in person and over the telephone. I have also reviewed, among other things, direct mail marketing materials and other documents sent to victims in furtherance of the scheme, including via emails and faxes; records obtained from the U.S. Postal Service and various commercial mail receiving companies; telephone records; corporate records and tax filings; documents reflecting domain name registrations and IP addresses; and bank and other financial records.

11. The "mortgage modification" conspiracy that is the subject of this investigation used direct mailers to solicit its victims. Based on my review of mailers sent to victims of this fraud scheme, the mailers purported to offer mortgage modification services to homeowners at risk of foreclosure. The mailers frequently referenced real federal programs that are designed to assist homeowners, such as the "Home Affordable Modification Program" ("HAMP"), which, among other things, offers federal payments to mortgage servicers if they successfully modify loans for qualifying homeowners. Some of the mailers were titled "Notice of HUD Relief," "Notice of Default Alert," "Notice of Mortgage Relief," "Federal Loan Conversion and Reform Notification," and "New HAMP Benefits," among other things. The mailers also listed various toll-free telephone numbers for the homeowners to call for assistance.

12. Based on records obtained from the U.S. Postal Service and law enforcement tracing of the mailers sent in furtherance of this scheme using the unique postal permit codes and identification numbers on the mailers, the vast majority of the mailers were sent by Seko through

her direct mail marketing company, Seko Direct Marketing, which was located in Placentia, California. The mailers were sent using bulk mail permits issued by the U.S. Postal Service. They were mailed to prospective victims of the mortgage modification scheme beginning in at least July 2010, and were sent in batches of hundreds or thousands at a time to victims in states across the country, including Virginia.

13. Based on my interviews with victim homeowners and with co-conspirators in this fraud scheme and my review of the documents described above, the mortgage modification fraud scheme generally worked as follows: When a victim homeowner who had been solicited via a mass mailing called the toll-free number listed on the direct mailer, an individual answering the phone would collect general financial information and inquire about the victim's mortgage and how far behind the victim was on her payments. The victim was told that this information would be reviewed to determine if the homeowner qualified for a mortgage modification. The homeowner was then given the name (often an alias) of the representative responsible for processing the application and the representative's direct dial number, often from the (202) area code. Victims were subsequently contacted by an individual claiming to be a representative of the "mortgage modification" entity and told that their mortgage modification had been approved. The representative advised the homeowner that their lender required a "reinstatement fee" in order to finalize the modification. Victims then received a document via email or fax requesting that reinstatement payment and providing instructions for how to make the payment.

14. Based on my interviews with victim homeowners and my review of the documents described above, victims were also told that they were required to make several "trial" mortgage modification payments, after which their modification would be complete and their new lower mortgage payment would become permanent for the life of the loan. Victims received mortgage

coupons, some with the United States Treasury Seal at the bottom, via email, mail, or fax. Payment instructions and amounts were also included on the coupons. Victims were instructed to make payment via cashier's check or money order and to send the payment via Federal Express or UPS to the address listed on the coupon. Those addresses appeared to be legitimate business addresses, but in fact were P.O. boxes at commercial mail receiving companies or retail mailbox stores, such as UPS stores, in California. The retail mailboxes had been leased by members of the conspiracy, often using aliases and false identification documents.

15. Based on the victim interviews that I and other law enforcement agents conducted, victims of this fraud scheme sent their payments to the targets of the investigation at the specified addresses as instructed, only to discover that they had not been granted a mortgage modification by their lenders. In many cases, the lenders ultimately foreclosed on the victims' homes, after the victims had been induced to make their "trial" mortgage payments to the members of the conspiracy rather than to their lenders. When victims of the scam would call to complain or to request refunds of their payments, they were often unable to get through to the "customer service representatives" with whom they had previously spoken. Moreover, when victims did make contact with someone from the supposed "mortgage modification" entities, the members of the conspiracy frequently made "lulling" statements designed to dissuade the victims from contacting law enforcement or their mortgage lenders to report the fraud.

16. Several victims of this mortgage modification scheme resided in the Eastern District of Virginia at the time that they were victimized by this scam, and they received or sent mailings, faxes, and/or emails in connection with this scheme in or from the Eastern District of Virginia.

Involvement of Araya, Seko, Henderson, and Others in the Scheme

17. During the course of my investigation, I have interviewed numerous co-conspirators and cooperating witnesses, as well as third-party witnesses, who have described the involvement of Araya, Seko, Henderson, and others in this fraud scam. I have also reviewed documentary evidence, including emails, phone records, financial records, and retail mailbox records, among other evidence, confirming that each of those three individuals, as well as others, was an active participant in the mortgage modification scheme.

Araya

18. Cooperating witnesses have described Araya as the ringleader of the mortgage modification scheme, who recruited others into the conspiracy and provided training regarding how to operate the supposed “mortgage modification” business. Araya organized his operation into “teams” of purported “customer service representatives,” who would communicate with victims via phone calls, emails, and other means, and lure them into making payments to the members of the conspiracy. Araya oversaw and managed the teams, and collected a portion of the proceeds from their fraudulent operations. According to cooperating witnesses, Araya placed orders for mass mailers to be sent to prospective victims of the fraud scam through Seko and her mass marketing company, Seko Direct Marketing. He also leased office space where the purported “customer service representatives” worked, and he held meetings and conference calls to organize the conspirators’ activities. Additionally, Araya often spoke with victims of the mortgage modification fraud scam using multiple different phones and different phone numbers, and frequently used aliases and even fake accents when doing so. Multiple cooperating witnesses have also stated that Araya managed the distribution of the proceeds of the scam, often using shell corporations that he had created in various fictitious names.

19. Emails identified and reviewed pursuant to the execution of a prior search warrant for electronic devices seized from the offices of Seko Direct Marketing in Placentia, California on or about June 11, 2014 revealed frequent communications between Seko and an individual using the email address "abcinctv@gmail.com," with the associated username "Samaraii Rainmaker." From my review of social media posts and other publicly available Internet records, I know that Araya frequently goes by the name "Samaraii" or "Samaraii Rainmaker." Moreover, in the text of the emails, the individual using the email address "abcinctv@gmail.com" was frequently referred to as "Sammy." In addition, I have reviewed other emails sent to/from Seko and the email address "riskmanagementgroups@gmail.com," with the associated username "Sammy," as well as to/from Seko and the email addresses "americanlawcenters@gmail.com," and "nationalrelieff@gmail.com" [sic]. In the bodies of these emails, the individual using those email addresses was also referred to as "Sammy."

20. The emails to/from Seko and the email addresses associated with "Sammy" showed orders being placed for mass mailings to prospective victims of the mortgage modification scheme. Specifically, the emails showed Seko sending lists of states with numbers corresponding to the number of individuals facing foreclosure in those states according to certain pre-determined search parameters. The email addresses associated with "Sammy" then responded to select the number of mailers to send, and to which states. The emails also contained frequent discussions of the mailing process, the content of particular mass mailers, and payments to Seko for her role in sending the mailers. Moreover, the emails often referred to mailers being sent for particular "teams," such as "Team Voltron," "Dream Team," "Team Secret," and the "A-Team." Various other email addresses were often cc'ed on the threads, including

“eric@paymentreductioncenter.org,” “nationalrelief@gmail.com,” “nationalrelieff@gmail.com [sic], and “teamvoltron13@gmail.com,” with the associated username “Simon Andrews.”

21. In addition, my review of bank and other financial records showed proceeds from the mortgage modification scheme flowing to Araya. For example, a Bank of America account opened in the name “Retention Division” with account number ending in 6842 was used to receive payments from victims of the conspiracy. There were several charges for personal expenses from that account, including a charge to pay a Verizon phone bill for the phone number (949) 910-8599. That phone number has been identified by cooperating witnesses as having been used by Araya, and Seko provided it to law enforcement officers during an interview on or about January 22, 2013 as a phone number that she used to communicate with Araya. Moreover, another Bank of America account opened in the name “National Relief” with account number ending in 1271 also received victim payments, and payments were made out of that account to American Express under the name “Sammy Araya.”

Seko

22. Witnesses, including cooperating witnesses, have described Seko as the primary individual responsible for sending the mass mailers to prospective victims of this mortgage modification scam. According to those witnesses’ statements, Seko would provide her co-conspirators with “lead lists” of homeowners at risk of losing their homes to foreclosure in various states, and the other members of the conspiracy would then choose which states to target, and how many mailers to send. The co-conspirators would then pay Seko in cash or cashier’s checks for sending the mailers, using money that was collected from victims of the fraud scheme.

23. As described in more detail above, emails already captured and reviewed pursuant to the execution of other search warrants in this case showed frequent communications between

Seko and Araya regarding mass mailings sent in furtherance of the mortgage modification scheme. Moreover, based on law enforcement review and tracing of the mailers sent to victims of the scheme, using the postal permit codes on the envelopes and the unique identification codes on the mailers, the vast majority of the mass mailers sent in furtherance of this scam were in fact sent by Seko and her company, Seko Direct Marketing.

24. Analysis of the electronic devices seized during the search of Seko Direct Marketing in June 2014 also revealed multiple voicemails left for Seko by Araya, in which Araya discussed the orders that he had placed for mass mailers through Seko Direct Marketing, payments that he had made to Seko for those mailers, and issues that arose regarding the mailing campaigns. Specifically, law enforcement forensic technicians were able to recover six voicemails left for Seko between September 4, 2013, and November 29, 2013. All six messages were automatically forwarded to the email address info@sekodirect.com through the YouMail “visual voicemail” service, and they were located on a computer that was recovered during the search of Seko Direct Marketing in June 2014. Four of the six voicemails came from “Sammy World Changers,” and all four were displayed visually along with a photograph of Araya. Moreover, I played each of the six voicemails for a cooperating witness, who stated that the male voice on each of the voicemail recordings belonged to Araya. In several of the voicemails, Araya stated that he was leaving the messages for “Jennie.”

25. Seko Direct Marketing also received cashier’s checks from at least three of the bank accounts into which victim payments were deposited, and received at least one wire transfer from a “Quadrant Financial” bank account used by furtherance of this scheme. One of the Seko Direct Marketing accounts receiving deposits of cashier’s checks was opened by Hanh T. Seko and Jamie Seko, who listed themselves as partners in Seko Direct Marketing on the account opening

documents. Police records from California local police departments and queries of public and consumer records show that Hahn T. Seko is also known as Hahn Thuy Nguyen, Jennie Thuy Nguyen, Hahn Seko, Jennie Seko, and Jen Seko.

Henderson

26. Finally, cooperating witnesses have described Henderson as Araya's "money guy," who opened bank accounts and retail mailboxes that were used to receive and deposit victim payments, and who also helped Araya distribute the proceeds of the scheme to the other members of the conspiracy. Witnesses have also stated that Henderson spoke with victims on the phones as a "customer service representative" to induce them to make payments to the conspiracy.

27. Bank records show that Henderson opened the following bank accounts used to receive victim payments in furtherance of this scheme:

- a. Bank of America account opened in the name "Trust Funding, LLC," with account number ending in 2493; and
- b. JP Morgan Chase account opened in the name "Trust Funding, LLC," with account number ending in 2261.

The individual with signatory authority on both accounts is listed as Henderson, and victim payments were deposited into both accounts.

28. Records received from commercial mail receiving companies also show that Henderson opened the following retail mailboxes used in connection with the "mortgage modification" scam:

- a. UPS mailbox located at 14271 Jeffrey Road, #504, Irvine, CA, in the name "Trustee Division";

- b. Mail Center Plus mailbox located at 11037 Warner Avenue, #255, Fountain Valley, CA, in the name "Default Department"; and
- c. Fountain Valley Mail mailbox located at 16285 Harbor Boulevard, #501, Fountain Valley, CA, in the name "Default Department."

In each case, Henderson presented his California driver's license, with ID number ending in 6566, in order to open the mailbox. Based on my interviews of victims and co-conspirators and review of victim documents and other documents used in connection with this scheme, each of the retail mailboxes opened by Henderson was used to receive victim payments.

Use of the Target Account in the Mortgage Modification Scheme

29. As part of the investigation into this mortgage modification scheme, law enforcement officers issued a grand jury subpoena to YouMail, a provider of "visual voicemail" services, requesting documents and records connected to any and all accounts opened using (or otherwise connected to) the phone number (949) 910-8599. As explained above, that phone number was known to have been used by Araya in connection with the mortgage modification fraud scheme, including in conversations between Araya and Seko regarding mass mailers. The phone number was registered to Nicole Araya, Araya's wife, and as described above, a bank account that was used to receive victim payments was used to pay a Verizon phone bill for that phone number. Several cooperating witnesses also identified that number as one of the phone numbers that Araya had used during the scheme, and the phone number is stored in those cooperating witnesses' cell phones under the contact name "Samaraii" or "Samurii 2." As explained above, "Samaraii" was a nickname frequently used by Araya in communications with other co-conspirators in this fraud scheme.

30. Records produced by YouMail in response to the grand jury subpoena reflected that the **Target Account** was opened in or about March 2010 under the name “American Law Center,” a fictitious entity used in furtherance of the mortgage modification scam. The default phone number associated with the account was (949) 910-8599, and the email address associated with the account was “riskmanagementgroups@gmail.com,” which was one of the email addresses from which, as explained in greater detail above, Araya communicated with Seko to discuss orders for mass mailers to prospective victims. The YouMail account was configured to enable a variety of services, including call forwarding and dial-in voicemail retrieval, which would enable the user of the account to retrieve voicemails sent to a variety of different phone numbers through a single call-in portal. The YouMail records reflected significant activity on the account throughout 2012, 2013, and the first eight months of 2014, with the last activity occurring on or about September 4, 2014.

31. Along with the above-mentioned records, YouMail also produced a spreadsheet of call data regarding approximately three hundred voicemails submitted to the account opened with phone number (949) 910-8599, spanning the time period from February 16, 2012 through March 8, 2013. The contents of the voicemails were not provided, but the to/from call data and other metadata, which were provided, reflected that many of the voicemails were left by victims of the mortgage modification scheme, or by Araya’s co-conspirators. For example, the spreadsheet lists the following voicemails:

- a. A 7-second voicemail left on August 19, 2012 from Jamie Seko, Seko’s husband, who is also listed on bank accounts as her partner at Seko Direct Marketing;

- b. A 5-second voicemail left on August 24, 2012 from L.C., Araya's personal assistant, whom cooperating witnesses have stated assisted him with various tasks associated with the fraud scheme;
- c. A 33-second voicemail left on August 28, 2012 from Seko;
- d. A 24-second voicemail left on September 22, 2012 from Seko;
- e. A 14-second voicemail left on October 4, 2012 from Seko;
- f. A 30-second voicemail left on October 25, 2012 from a caller in Massachusetts, who has been interviewed by law enforcement and is known to have been a victim of the mortgage modification scam;
- g. A 46-second voicemail left on November 3, 2012 from a caller in Wisconsin, who has been interviewed by law enforcement and is known to have been a victim of the mortgage modification scam;
- h. At least seven separate voicemails left during the time period of September 12, 2012 through November 5, 2012, from a caller in Pennsylvania, who has been interviewed by law enforcement and is known to have been a victim of the mortgage modification scam; and
- i. A 70-second voicemail left on December 21, 2012 from L.C.

32. The call data for many of the other YouMail voicemails did not reflect sufficient information to definitively determine whether those voicemails related to the mortgage modification fraud scheme or not. However, at least half of the voicemails were from phone numbers with area codes in southern California, which is where Araya, Seko, Henderson, and others operated this fraud scam. Many of the other voicemails came from phone numbers with area codes in a variety of different states where homeowners were targeted and fell prey to this

fraud scam, including Ohio, Massachusetts, New York, Indiana, Pennsylvania, Wisconsin, and Washington.

CONCLUSION

33. Based on my training and experience, and the facts as set forth in this affidavit, there is probable cause that the web-based “visual voicemail” systems owned, maintained and/or operated by YouMail contain evidence, fruits, and instrumentalities with respect to the **Target Account**, opened with default phone number (949) 910-8599, of the above-described violations of 18 U.S.C. §§ 1349 (conspiracy), 1341 (mail fraud), and 1343 (wire fraud).

34. I anticipate executing this warrant under the Electronic Communications Privacy Act, in particular 18 U.S.C. § 2703(a), (b)(1)(A) and (c)(1)(A), by using the warrant to require YouMail, the Internet service provider that maintains the **Target Account** and stores the voicemails and other information associated with that account, to disclose to the government copies of the records and other information (including the content of communications and stored voicemails and emails) more particularly described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B. Pursuant to § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

35. This Court has jurisdiction to issue the requested warrant because it is “a court of competent jurisdiction” as defined by 18 U.S.C. § 2711. *See* § 2703(a), (b)(1)(A), and (c)(1)(A). Specifically, the Court is “a district court of the United States . . . that . . . has jurisdiction over the offense being investigated.” § 2711(3)(A)(I).

ATTACHMENT A

Property to Be Searched

This warrant applies to information associated with the account opened in or about March 2010 with default phone number (949) 910-8599, under the customer name “American Law Center,” through YouMail, a company headquartered at 43 Corporate Park, Suite 200, Irvine, CA 92606.

ATTACHMENT B

Particular Things to be Seized

I. Information to Be Disclosed

To the extent that the information described in Attachment A is within the possession, custody, or control of YouMail, YouMail is required to disclose the following information to the United States for the account listed in Attachment A from March 2010 until the present:

- a. The contents of all voicemail messages stored in the account, including copies of voicemail messages sent to and from the account, deleted voicemails (if available), the source and destination addresses associated with each voicemail, the date and time at which each voicemail was sent, and the size and length of each voicemail;
- b. The contents of all emails (if any) stored in the account, including copies of emails sent to and from the account, draft emails, deleted emails, the source and destination addresses associated with each email, the date and time at which each email was sent, and the size and length of each email;
- c. All records or other information regarding the identification of the account, to include full name, physical address, telephone numbers and other identifiers, records of session times and durations, the date on which the account was created, the length of service, the types of service utilized, the "Internet Protocol" ("IP") address used to register the account, log-in IP addresses associated with session times and dates, account status, alternative email addresses provided during registration, methods of connecting, log files, and means and source of payment (including any credit or bank account number);

- d. All records or other information stored by an individual using the account, including address books, contact and buddy lists, calendar data, pictures, and files; and
- e. All records pertaining to communications between YouMail and any person regarding the account, including contacts with support services and records of actions taken.

II. Information to Be Seized

All information obtained from YouMail will be maintained by the government for the purpose of authentication and any potential discovery obligations in any related prosecution. The information shall be reviewed by the government only for the purpose of identifying and seizing all information described above in Section I that constitutes fruits, evidence, or instrumentalities of violations of 18 U.S.C. §§ 1341, 1343, 1349 from March 2010 to the present, including information pertaining to the following matters:

- a. voicemail communications between and to individuals involved in conspiracies to commit mail and wire fraud, and wire and mail fraud, as well as communications with victims of those offenses;
- b. email communications (as well as the attachments to those email communications) involved in conspiracies to commit mail and wire fraud, and wire and mail fraud, as well as communications with victims of those offenses;
- c. records or communications that will assist investigators in ascertaining the nature and scope of the crimes under investigation, the true identity and/or location of the subjects and their co-conspirators, and any disposition of the proceeds of the crimes under investigation; and

- d. records relating to who created, used, or communicated with the account, including records about their identities and whereabouts.